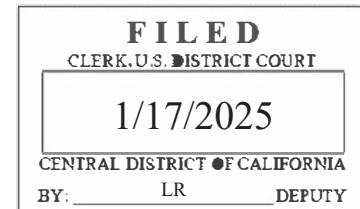


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 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,

CR

2:25-cr-00040-HDV

-4

13 Plaintiff,

GOVERNMENT'S NOTICE OF REQUEST FOR  
DETENTION

v.

15 CLINT JORDAN LOPAKA  
 NAHOOIKAIAKA BORGE,

17 Defendant.

18  
 19 Plaintiff, United States of America, by and through its counsel  
 20 of record, hereby requests detention of defendant and gives notice of  
 21 the following material factors:

- 22  1. Temporary 10-day Detention Requested (§ 3142(d)) on the  
 23 following grounds:
  - 24  a. present offense committed while defendant was on release  
 25 pending (felony trial),
  - 26  b. defendant is an alien not lawfully admitted for  
 27 permanent residence; and

1            c. defendant may flee; or

2            d. pose a danger to another or the community.

3        2. Pretrial Detention Requested (§ 3142(e)) because no  
4           condition or combination of conditions will reasonably  
5           assure:

6            a. the appearance of the defendant as required;

7            b. safety of any other person and the community.

8        3. Detention Requested Pending Supervised Release/Probation  
9           Revocation Hearing (Rules 32.1(a)(6), 46(d), and 18 U.S.C.  
10           § 3143(a)):

11            a. defendant cannot establish by clear and convincing  
12           evidence that he/she will not pose a danger to any  
13           other person or to the community;

14            b. defendant cannot establish by clear and convincing  
15           evidence that he/she will not flee.

16        4. Presumptions Applicable to Pretrial Detention (18 U.S.C.  
17           § 3142(e)):

18            a. Title 21 or Maritime Drug Law Enforcement Act ("MDLEA")  
19           (46 U.S.C. App. 1901 et seq.) offense with 10-year or  
20           greater maximum penalty (presumption of danger to  
21           community and flight risk);

22            b. offense under 18 U.S.C. §§ 924(c), 956(a), 2332b, or  
23           2332b(g)(5)(B) with 10-year or greater maximum penalty  
24           (presumption of danger to community and flight risk);

25            c. offense involving a minor victim under 18 U.S.C.  
26           §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251,

1                   2251A, 2252(a)(1)-(a)(3), 2252A(a)(1)-2252A(a)(4),  
2                   2260, 2421, 2422, 2423 or 2425 (presumption of danger  
3                   to community and flight risk);

4                  d. defendant currently charged with an offense described  
5                   in paragraph 5a - 5e below, AND defendant was  
6                   previously convicted of an offense described in  
7                   paragraph 5a - 5e below (whether Federal or  
8                   State/local), AND that previous offense was committed  
9                   while defendant was on release pending trial, AND the  
10                  current offense was committed within five years of  
11                  conviction or release from prison on the above-  
12                  described previous conviction (presumption of danger to  
13                  community).

14                5. Government Is Entitled to Detention Hearing Under § 3142(f)  
15                  If the Case Involves:

16                a. a crime of violence (as defined in 18 U.S.C.  
17                   § 3156(a)(4)), a violation of 18 U.S.C. § 1591, or  
18                   Federal crime of terrorism (as defined in 18 U.S.C.  
19                   § 2332b(g)(5)(B)) for which maximum sentence is 10  
20                   years' imprisonment or more;

21                b. an offense for which maximum sentence is life  
22                   imprisonment or death;

23                c. Title 21 or MDLEA offense for which maximum sentence is  
24                   10 years' imprisonment or more;

25                d. any felony if defendant has two or more convictions for  
26                   a crime set forth in a-c above or for an offense under  
27                   state or local law that would qualify under a, b, or c

1 if federal jurisdiction were present, or a combination  
2 or such offenses;

- 3      e. any felony not otherwise a crime of violence that  
4                 involves a minor victim or the possession or use of a  
5                 firearm or destructive device (as defined in 18 U.S.C.  
6                 § 921), or any other dangerous weapon, or involves a  
7                 failure to register under 18 U.S.C. § 2250;  
8      f. serious risk defendant will flee;  
9      g. serious risk defendant will (obstruct or attempt to  
10                 obstruct justice) or (threaten, injure, or intimidate  
11                 prospective witness or juror, or attempt to do so).

- 12    6. Government requests continuance of \_\_\_\_\_ days for detention  
13                 hearing under § 3142(f) and based upon the following  
14                 reason(s) :

15  
16 \_\_\_\_\_  
17 \_\_\_\_\_  
18 \_\_\_\_\_  
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28 //

7. Good cause for continuance in excess of three days exists in  
that:

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Dated: January 16, 2025

Respectfully submitted,

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Chief, Criminal Division

Catharine Richmond

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